

# Contemporary Communications

October 9, 1996

Mr. William F. Caton, Acting Secretary  
FEDERAL COMMUNICATIONS COMMISSION  
Room 222  
1919 M Street, NW  
Washington, DC 20554

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Re: Petition for Rule Making  
New FM - Channel 223A  
Wake Village, Texas

Dear Mr. Caton:

Enclosed please find an original and five copies of a Petition for Rule Making, filed on behalf of PHILLIP W. O'BRYAN, requesting the allotment of FM Channel 223A to Wake Village, Texas, as that community's first local FM service.

If this proposal is ultimately adopted, Mr. O'Bryan will promptly apply for authority to construct and operate a new station on the proposed channel.

An additional copy of the first page of the petition is enclosed. Please date-stamp and return to us in the enclosed postage-paid envelope.

If there are any questions, please advise.

Respectfully submitted,

CONTEMPORARY COMMUNICATIONS



Larry G. Fuss  
Consultant to Phillip W. O'Bryan

enclosures (as above)

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b)  
Table of Allotments,  
FM Broadcast Stations  
(Wake Village, Texas)

)  
)  
)  
)  
)  
)

MM Docket \_\_\_\_\_  
RM - \_\_\_\_\_

To: The Chief, Allocations Branch

**PETITION FOR RULE MAKING**

Comes now Phillip W. O'Bryan (hereafter "Petitioner"), pursuant to Section 1.401 of the Commission's Rules, and respectfully petitions the Commission to amend the FM Table of Allotments, 47 C.F.R. 73.202(b), to allocate FM Channel 223A to Wake Village, Texas, as that community's first local FM service.

**Proposal of Petitioner:**

City	Channel Numbers	
	Present	Proposed
Wake Village, Texas	---	223A

In support of this proposal, the following information is herewith submitted for consideration:

Wake Village is an incorporated community located in Bowie County in northeastern Texas, approximately 260 kilometers north-northeast of Dallas, Texas. The city population is 4,757 and the county population is 81,665 1/. Currently, there are no broadcast stations (AM, FM or TV) licensed to serve Wake Village, Texas. Adoption of this proposal will provide Wake Village with its first local broadcast service.

Attached hereto and made a part of this petition is a Technical Exhibit in support of the requested allotment. Based on the information contained therein, it appears that the requested channel could be allocated to Wake Village, in full compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules, with a site-restriction as specified in the Technical Exhibit.

If this proposal is adopted, Petitioner will promptly apply for authority to construct and operate a new FM

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1/ Population figures from the 1990 U.S. Census.


broadcast station at Wake Village, Texas. If a construction permit is granted, Petitioner will promptly construct and operate the proposed station.

In accordance with Section 1.52 of the Commission's Rules and Regulations, I hereby certify that I have examined the foregoing Petition for Rule Making and the attached Technical Exhibit and that both are true and correct to the best of my knowledge and belief.

WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, Section 73.202(b), be amended as requested herein.

Respectfully submitted,

PHILLIP W. O'BRYAN




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804 Clear Creek Drive  
Texarkana, TX 75503  
(903) 832-5975

By:

CONTEMPORARY COMMUNICATIONS

  
\_\_\_\_\_  
Larry G. Fuss, Consultant  
P.O. Box 1787  
Cleveland, MS 38732  
(601) 846-1787

October 7, 1996



# **Contemporary Communications**

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## **TECHNICAL EXHIBIT**

**IN SUPPORT OF  
PETITION FOR RULE MAKING  
NEW FM - CHANNEL 223A  
WAKE VILLAGE, TEXAS**

**PHILLIP W. O'BRYAN**

**Prepared October 2, 1996**

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Broadcast Consultants  
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## **TECHNICAL EXHIBIT**

**IN SUPPORT OF  
PETITION FOR RULE MAKING  
NEW FM - CHANNEL 223A  
WAKE VILLAGE, TEXAS**

**PHILLIP W. O'BRYAN**

## **INTRODUCTION**

This Technical Exhibit supports the petition of PHILLIP W. O'BRYAN, seeking to amend the FM Table of Allotments, Section 73.202(b) of the Rules, by allocating FM Channel 223A to Wake Village, Texas, as that community's first local FM channel.

## **ALLOCATION**

A study was performed using the computerized *SEARCHFM* frequency search program and the current FCC/NTIS database to determine if Channel 223A could be allocated in compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules. The study included all applicable co-channel, adjacent-channel and IF separations. The results of that study indicate that Channel 223A may be allocated to Wake Village in full compliance with Section

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73.207(b), provided a site-restriction approximately 4 kilometers east of the community were imposed.

The "area-to-locate" for Channel 223A is indicated on Exhibit A, attached hereto. The exhibit depicts the required separation arcs from all pertinent co-channel and adjacent channel stations and allocations. As indicated, Channel 223A may be utilized in an area east of Wake Village. Assuming maximum Class A facilities (6 kw @ 100 meters above average terrain), a transmitter site at any location within the area-to-locate would enable the proposed station to provide adequate city-grade (70 dBu) coverage to the entire city, in full compliance with Section 73.315(a) and (b).



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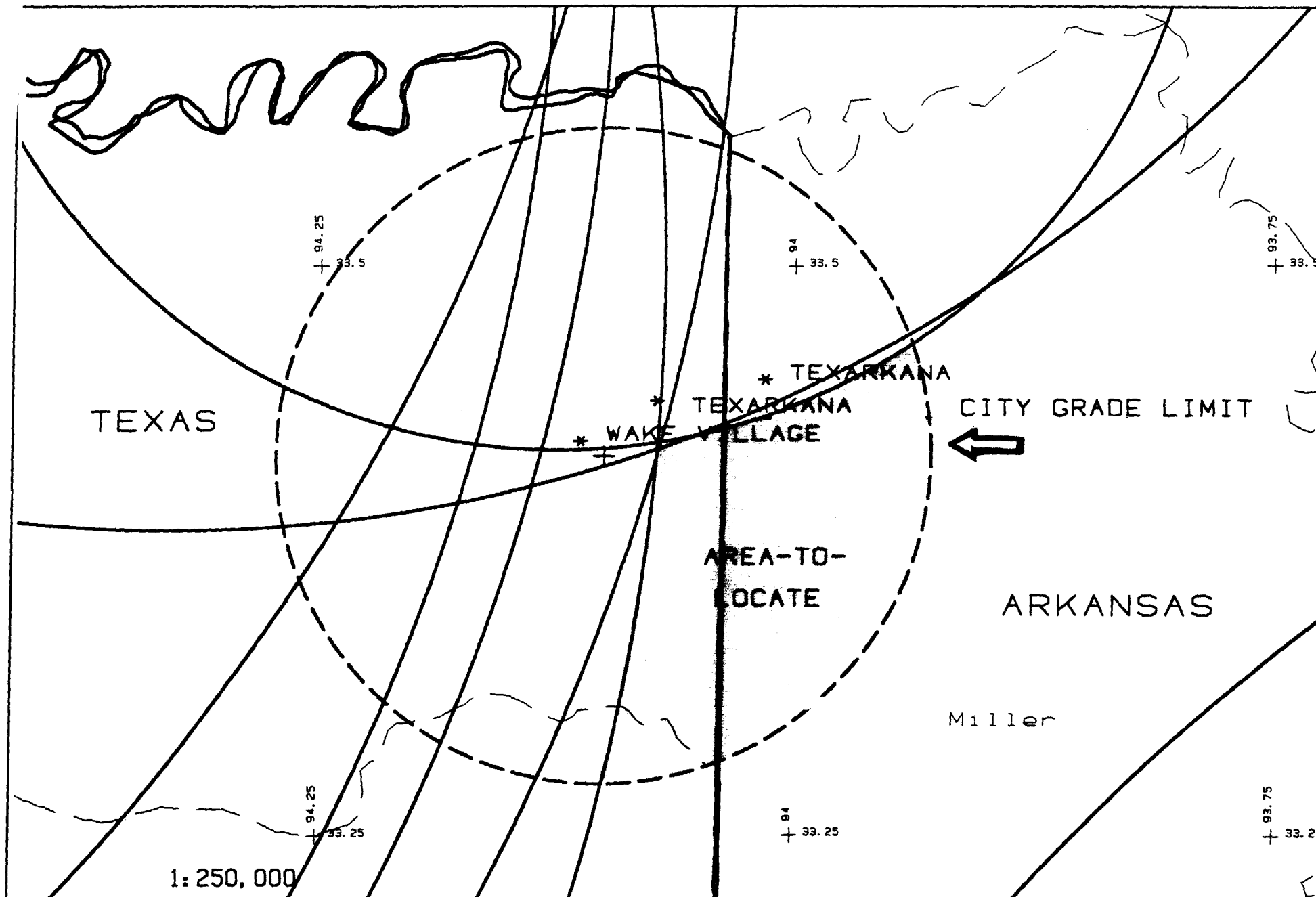
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## **CONCLUSION**

The proposed change in the table of allotments will not create a short-spacing to any existing station, pending application or vacant allotment, and will not require the reallocation of any station, pending application or vacant allotment.

A copy of the separation study for Channel 223A is attached hereto as Exhibit B and made a part of this report (only those stations and channels sufficiently close for concern are noted therein).

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TEXAS

AREA-TO-LOCATE

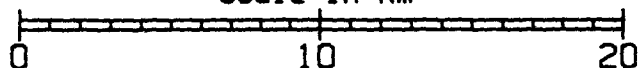
CITY GRADE LIMIT

ARKANSAS

Miller

1:250,000

Scale in km



CH 223A - WAKE VILLAGE, TEXAS  
N. Lat. 33 25 09 W. Lng. 94 04 18

EXHIBIT A  
LGF - 10/96

**CONTEMPORARY COMMUNICATIONS  
BROADCAST CONSULTANTS**

EXHIBIT B

**WAKE VILLAGE TEXAS  
NEW FM DROP-IN STUDY**

**REFERENCE**

33 25 09 N  
94 04 18 W

**CLASS = A**

**Current Spacings**

**DISPLAY DATES**

**DATA 09-03-96  
SEARCH 10-03-96**

----- Channel 223 - 92.5 MHz -----

Call N. Lat.	Channel W. Lng.	Location	Power	Dist HAAT	Azi	FCC	Margin
KTKC	LI 224A	Springhill	LA	71.68	129.5	72.0	-0.32 <u>1/</u>
33 00 28	93 28 43	CN	3.000 kW	53 M			
Springhill Broadcasting Compa				BLH6831	960813		
*To change to 225C3 per one-step application 960725IC							
AP224	AP 224C2	Blossom	TX	106.00	285.1	106.0	0.00
33 39 45	95 10 31	CN	50.000 kW	150 M			
Alyce Carole Williams				BPH960708MD	960731		
KDQNF	LI 224A	De Queen	AR	72.08	340.9	72.0	0.08
34 01 57	94 19 43	CN	3.000 kW	67 M			
Jay W. & Anne W. Bunyard				BLH780926AN	960528		
*To channel 226C2 Per One-Step Application 950626IF-*To Channel 227A per D95-75							
AP224	AP 224C2	Blossom	TX	106.08	274.4	106.0	0.08
33 29 12	95 12 35	CN	50.000 kW	150 M			
Oara, Inc.				BPH960703MI	960716		
KARQ	LI 221A	Ashdown	AR	31.39	351.3	31.0	0.39
33 41 56	94 07 24	CN	2.800 kW	93 M			
KARQ Radio, Inc.				BLH850705LJ	960318		
AP224	AP 224C2	Blossom	TX	111.52	283.6	106.0	5.52
33 38 59	95 14 25	CN	50.000 kW	150 M			
Maple Communications				BPH960709ME	960731		
ALOPEN	AL 224C2	Blossom	TX	114.71	284.4	106.0	8.71
33 40 07	95 16 13	N	0.000 kW	0 M			
95-75 WO= 960607					960528		
Site Restriction 11.0km East-Effective 6-7-96							
AP224	AP 224C2	Blossom	TX	118.18	295.5	106.0	12.18
33 52 14	95 13 32	CN	50.000 kW	150 M			
Huggins & Gransee Broadcastin				BPH960708MF	960731		
ALOPEN	AL 223A	Arcadia	LA	142.71	133.9	115.0	27.71
32 31 28	92 58 28	N	0.000 kW	0 M			
84-231 WO= 960723					960723		

1/ KTKC(FM) to Channel 225C3 per one-step application BPH-960725IC

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## AFFIDAVIT

State of Mississippi                    }  
County of Bolivar                    } ss.

Larry G. Fuss, being first duly sworn, deposes and states as follows:

- 1) I am a qualified and experienced broadcast consultant. I have been actively involved in the broadcast industry since 1972 and currently hold a lifetime FCC General Class Radio Telephone License (License No. PG-8-8450).
- 2) I have prepared numerous applications and rule making petitions which have been accepted for filing with the Federal Communications Commission.
- 3) I have been retained by Phillip W. O'Bryan to prepare the attached Technical Exhibit.
- 4) The Technical Exhibit, of which this deposition is a part, and the measurements, calculations, studies and determinations upon which this report is based, were prepared by me or under my direction. All material contained therein is believed to be true and correct, to the best of my knowledge and belief.

Larry G. Fuss  
Larry G. Fuss  
Affiant

10/2/96  
Date

Subscribed and sworn to before me this 2<sup>nd</sup> day of October, 1996.

Nancy Sellers  
Notary Public

My commission expires: 6-6-2000